

County of San Francisco

Human Rights Commission
Office of Contract Compliance
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DISCRIMINATION REPORTING PROJECT

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Prepared by Chris Van Stone
and Jackie Winnow, Lesbian/
Gay Community Liaison Unit
of the Human Rights Commission
for the AIDS Discrimination
Reporting Project



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REFERENCE BOOK

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In the Reporting Project, a coalition effort of the San Francisco AIDS Foundation, the San Francisco Department of Public Health's AIDS Activity, and the San Francisco Gay Community Liaison Unit conducted a three-month study to determine the extent of discrimination against people with AIDS and Gay people generally, due to fear of AIDS generated and increased by the public's response

to physical and verbal harassment, gaps in the provision of housing, accommodation and employment discrimination. Numerous incidents of discrimination had been reported in a sporadic manner by the Coalition and various other organizations, within the City. As the number of people affected by incidents of discrimination. For instance, the number of discrimination cases reported to the HRC in FY 83 rose 41% from 1982. The City United Against Violence shows a sharp increase in incidents reported as well as to the level of severity.

The Coalition undertook the Project to centrally collect information, measure the extent of the problem, locate the specific problem areas and assess individual as well as organizational needs caused by such incidents to effect necessary change and to study the problem. It was hoped that the Study would act as a catalyst for implementing recommendations, solutions, and build a centralized program to resolve these discriminatory situations.

Methodology

The AIDS Discrimination Reporting Project constructed an all encompassing survey form which included any type of discrimination which could be attributed to homophobia and paranoia generated from the fear of casual contagion. These included physical and verbal abuse, discrimination and differential treatment in employment, housing, public accommodations, and health care services. Questions and graphics about the discrimination were included. Respondents were requested to submit brief personal narratives describing the nature of their

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San Francisco 94103



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Introduction

The AIDS Discrimination Reporting Project, a coalition effort of the San Francisco Human Rights Commission, the San Francisco AIDS Foundation, the Shanti Project, and the San Francisco Department of Public Health's AIDS Activities Office, recently conducted a three-month study to determine the extent of discrimination towards people with AIDS and Gay people generally, due to fear of casual contagion and homophobia generated and increased by the public's response to the AIDS crisis.

The study examined physical and verbal harassment, gaps in the provision of health services, and public accommodation and employment discrimination. Numerous incidents of these types of discrimination had been reported in a sporadic and isolated fashion to members of the Coalition and various other organizations, public officials, and the media within the City. As the number of people affected by AIDS rises, so will the incidents of discrimination. For instance, the number of sexual orientation discrimination cases reported to the HRC in FY 83 rose 41% over FY 82 figures. Community United Against Violence shows a sharp increase in the number of violent incidents reported as well as to the level of severity.

The Coalition undertook the Project to centrally collect information, measure and locate the specific problem areas and assess individual as well as organizational needs caused by such incidents to effect necessary change and to study the extent of the problem. It was hoped that the Study would act as a catalyst for implementing recommendations, solutions, and build a centralized program to resolve these discriminatory situations.

Methodology

The AIDS Discrimination Reporting Project constructed an all encompassing survey form which included any type of discrimination which could be attributed to homophobia and paranoia generated from the fear of casual contagion. These included physical and verbal abuse, discrimination and differential treatment within employment, housing, public accommodations, and health care services. Demographics and questions about the discrimination were included. Respondents were requested to submit brief personal narratives describing the nature of their

discriminatory incident. They were also asked whether they reported the incident elsewhere and if so, where. All information regarding the person was kept strictly confidential. Although people did not need to fill in their names in order to report, for validity purposes and in order to resolve the situation in the future, people were encouraged to include their names. Although the Project was a needs assessment study, a resource list was attached to the questionnaire so that people could attempt to address their situation through appropriate channels.

Members of the Coalition announced the project in November. The study ran from December 1 - March 1, 1985. The news releases announcing the purpose of the study and the availability of its forms were sent to the Lesbian/Gay media and an interview was held with the Bay Area Reporter. Reporting forms were distributed through the San Francisco AIDS Foundation, the Shanti Project, the Lesbian/Gay Community Liaison Unit of the Human Rights Commission, the AIDS Activities Office of DPH, the AIDS Coordinating Council and other community and health organizations which serve Gay men and people with AIDS.

Study Problems Identified

A significant number of respondents were informed of the Project through the San Francisco AIDS Foundation, the Shanti Project, the Lesbian/Gay Community Liaison Unit of the Human Rights Commission, and various AIDS clinics. People with AIDS incur many stresses in dealing with daily life and so were not as interested as hoped in reporting cases of discrimination nor in rectifying the situations. While examining and determining the extent of discrimination generated by the AIDS crisis, the disease's high mortality rate cannot be overlooked. Within the City of San Francisco, as of March 31, 1985, 505 people have died of AIDS. The discrimination experienced by these people will sadly remain undocumented.

In order to reach people who were discriminated against specifically due to AIDS, but who did not have AIDS, the HRC sent forms to past complainants. Otherwise this population was hard to reach as they usually do not come in contact with any AIDS organizations and therefore were not informed of the study.

In addition, a major problem was the lack of indepth interest by the media in reporting the study. This meant that many people with AIDS and non-AIDS people experiencing discrimination were not reached to a significant degree.

AIDS DISCRIMINATION REPORTING PROJECT
STATISTICAL EVALUATION

Complaints Received: 15

Nature of Complaint:

- 8 (53%) Employment
- 4 (27%) Health Care Services
- 2 (13%) Housing
- Ø Public Accommodation
- 1 (7%) Differential Treatmnet
- 2 (13%) Verbal Harassment
- 1 (7%) Other


- 3 Respondents reported more than one type of discrimination.

Discriminatory Incident Experienced by:

- 10 (66%) People with AIDS
- 5 (33%) People that do not have AIDS
- 8 (53%) People perceived as having AIDS
- 2 (13%) People perceived as having AIDS but did not actually have the disease.

Complaints Against:

- 4 (27%) General Businesses
- 4 (27%) Medical
- 1 (7%) Life Insurance Co.
- 1 (7%) Store
- 1 (7%) Restaurant
- 1 (7%) Landlord
- 2 (13%) Unknown
- 1 (7%) Confidential



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<http://archive.org/details/aidsdiscriminati1985vans>

Demographics:

Sex:

14 (93%) Male

1 (7%) Female

Race:

13 (87%) Caucasian

1 (7%) Unknown

1 (7%) N/A

Physical Ability:

11 (73%) Disabled

4 (27%) Able Bodied

Sexual Orientation:

13 (87%) Gay men

1 (7%) Heterosexual man

1 (7%) Women - Lesbian and other women

Age:

20 - 30 year old 6 (40%)

31 - 41 " " 6 (40%)

42 - 52 " " 1 (7%)

Unknown 1 (7%)

N/A 1 (7%)

Complaint Reported Elsewhere

7 (47%) Yes

7 (47%) No

1 (7%) Unknown

How Person Heard of the Survey?

7 (47%) AIDS Foundation

2 (13%) Doctor

2 (13%) Person with AIDS

2 (13%) Media

2 (13%) Unknown

Narratives

The following is a sampling of some of the narratives received and outlines the various problems:

- 1) After a brief hospital stay, the office in which complainant worked circulated a rumor that he had AIDS. Following the rumor, his supervisor requested that he fill out disability papers. Soon after this incident, complainant was terminated. He was not diagnosed as having AIDS at that time.
- 2) After a six week leave of absence, complainant informed his supervisor of his AIDS diagnosis. He was then told that he could not remain at his usual position as bartender. The reason given was that he might spread the disease, as well as create bad publicity. Complainant was moved to a position with comparable salary, but which did not provide the opportunity for public contact and additional money earned from tips.
- 3) Complainant, having obvious symptoms of AIDS, had been seeking services at his health care provider for over a year. After answering affirmatively to whether or not he was Gay, with a fever of 105° and a persistent dry cough, complainant was sent home. Over the next few days he was told that he definitely had pneumonia and was not improving. It still was not requested that he be admitted to the hospital. Complainant presented himself to the emergency room and was told to go to the general clinic where, with a temperature nearing 105°, he spent a total of seven hours and fifteen minutes. He was told to go on his own to x-ray and to the lab for blood work. He was too weak and too short of breath to walk, so his friends got him a wheelchair as it was not offered to him by personnel. At this time, he was told by a medical resident that he probably had pneumocystis. When finally admitted, there was no hospital staff available to escort him to his room, so his friends brought him there where he remained until his death three days later. During his last three days of life, the RN taking care of him did not follow proper medical procedure, offer proper care, and was pointedly rude.
- 4) Upon finding out that complainant's roommate had AIDS, the employer/landlord fired and evicted complainant.

Findings

- 1) Gay men are being terminated from their places of employment because they have AIDS.
- 2) Gay men are being terminated from their places of employment if they are perceived as having AIDS.
- 3) Gay men are being required by their employers to present documentation from their physicians stating that they do not have AIDS.

Findings (Cont'd)

- 4) Gay men who have AIDS are not allowed public contact or handling foods within their places of employment.
- 5) Gay men are being denied housing because they have AIDS.
- 6) Friends, relatives, and lovers who choose to live with people with AIDS are being denied housing.
- 7) Gay men with AIDS are encountering ineffective and differential treatment by health care providers.
- 8) Gay men are experiencing verbal harassment that is generated by AIDS paranoia and ignorance.
- 9) Many incidents of discrimination go unreported and unrectified because there is no staff person at any agency who is designated and authorized to deal specifically with AIDS discrimination.

Recommendations

- 1) People with AIDS and Gay men generally need direct access to address both blatant and subtle forms of AIDS-related discrimination.
- 2) Civil and legal rights education regarding AIDS needs to be undertaken.
- 3) In order to effectively address and rectify AIDS-related discrimination, the Project recommends a central office, staffed and empowered to investigate and provide clear and expeditious solutions to AIDS-related discriminatory incidents and education involving same.
- 4) Since the Human Rights Commission's Lesbian/Gay Community Liaison Unit possesses this area of expertise and as an agency is mandated and empowered by the City and County of San Francisco to address discrimination issues, a staff person should be added and designated to deal solely with AIDS-related discrimination. Responsibilities would include investigation of complaints, educating the public, and developing a networking system between agencies that work with people with AIDS.

Conclusion

The AIDS Discrimination Reporting Project exemplifies the diversity and severity of discriminatory incidents Gay men and others are experiencing as a result of the AIDS crisis. The increasing fears of those acting to discriminate display not only a lack of knowledge regarding the actual transmission of AIDS, but also extreme homophobia. The Project's documentation, which provides a spectrum of discrimination, reflects this phenomenon. Discrimination ranged from employers requiring a physician's statement denying that an employee had AIDS to actual termination and to eviction.

The HRC's Annual Report on Sexual Orientation Discrimination, an analysis of the Lesbian/Gay Unit's yearly complaint load, indicates similar results in their experiences working with discrimination. "In FY 83-84, at least thirteen investigations of discrimination against Gay men are a direct result of the individual being discriminated against because they have the disease or are being perceived as AIDS victims. Individuals are prevented from working or are being denied housing on a regular basis."

Lesbians and Gay men have historically faced discrimination in a society little willing to rectify or even acknowledge their injustices. In San Francisco, where 1061 cases of AIDS have been reported and doubling every six months and where most people with AIDS are Gay or bisexual men, the ugly face of added discrimination, hatred and prejudice is growing and needs to be brought under control now. This report and related evidence clearly shows that AIDS-related discrimination exists and because of the emotional impact and implications it has on effected people and others, it is an issue that needs to be addressed as thoroughly and swiftly as possible.



AIDS DISCRIMINATION REPORTING PROJECT

News Release

For Immediate Release
Contact Jackie Winnow, 558-4901
May 10, 1985

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EMPLOYMENT DISCRIMINATION HARDEST HIT IN AIDS
DISCRIMINATION REPORTING PROJECT

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The three month confidential needs assessment study, conducted by the San Francisco AIDS Foundation, the Human Rights Commission, the Shanti Project, and DPH's AIDS Activities Office, reveals that AIDS based discrimination most often takes place in employment situations. The AIDS Discrimination Reporting Project details problems in housing, public accommodations and medical/social services as well.

One of the people reporting was terminated from his place of employment after a brief hospital stay. Although he was not diagnosed with AIDS at that time, it was rumored that he had AIDS. Another incident report was by a Gay man with AIDS who worked as a bartender. When he told his employer that he had AIDS, he was moved to a position of non-visibility, with no tips. The employer told him this was done because he might spread the disease and create bad publicity. Still another report was made by someone who was evicted because his roommate had AIDS. One report related terribly insensitive medical services by a major health provider.

Jim Rulon of the Shanti Project and member of the AIDS Discrimination Reporting Project (ADRP) believes that "Discrimination against people with AIDS is one of the most important psychological/social issues people with AIDS have to deal with. A resolution process to assist them with these problems is badly needed."

AIDS DISCRIMINATION REPORTING PROJECT

News Release (Cond't)

The ADRP's study found that Gay people are facing increased discrimination and harassment due to the public's response to the AIDS crisis. The Human Rights Commission reports that sexual orientation discrimination cases rose 41% for FY 83-84 and Community United Against Violence's statistics show a sharp increase in the number of violent incidents reported as well as the level of severity.

In order to take care of AIDS-related discrimination, the Project strongly recommends that only a centralized office, staffed and empowered to handle AIDS-related discrimination can effectively respond to charges. As Steve Pratt, formerly of the S.F. AIDS Foundation, pointed out, "PWAs as well as Gay men in general need a direct route to address both blatant and subtle forms of discrimination that continually reinforce the misdirected fear of AIDS."

Since the Human Rights Commission's Lesbian/Gay Liaison Unit possesses expertise in this area, all members of the Project strongly believe that this is the avenue to pursue. Jackie Winnow, of the Lesbian/Gay Unit agrees, "The Human Rights Commission is the agency designated to deal with discrimination and civil rights issues. Because reported cases of AIDS is doubling every six months, discrimination problems will undoubtedly escalate. Now all we need is a staffperson who can vigorously address AIDS-related discrimination and legal issues so that our community is not left wanting."

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